

HWC

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

2008 JUL 23 AM 9:49

UNITED STATES OF AMERICA,

Plaintiff,

v.

Melvin Cesar JONES Jr.,

Defendant(s)

Magistrate Case No.

08 MJ 2233

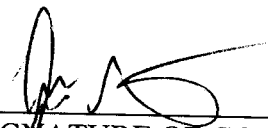
COMPLAINT FOR VIOLATION OF: DEPUTY

Title 8 U.S.C., Sec. 1324 (a)(1)(A)(ii)
Transportation of Illegal
Aliens

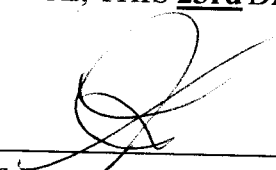
The undersigned complainant, being duly sworn, states:

On or about **July 21, 2008**, within the Southern District of California, defendant **Melvin Cesar JONES Jr** with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, **Luis Eduardo ROMAN-Peralta, Bladimir MUNOS-Moreno, and Genaro RAMIREZ-Moreno** had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


 SIGNATURE OF COMPLAINANT
 James Trombley
 Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 23rd DAY OF July, 2008


 Leo S. Papas
 UNITED STATES MAGISTRATE JUDGE

PROBABLE CAUSE STATEMENT

Furthermore, the complainant states that **Luis Eduardo ROMAN-Peralta**, **Bladimir MUNOS-Moreno**, and **Genaro RAMIREZ-Moreno** citizens of a country other than the United States; that said aliens have admitted that they are deportable; that their testimony is material, that it is impracticable to secure their attendance at the trial by subpoena; and they are material witnesses in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18, United States Code, Section 3144.

On July 21, 2008, Supervisory Border Patrol Agent L. Miele and Border Patrol Agents of the Pine Valley Station were conducting anti-smuggling duties in the Pine Valley Station area of responsibility. All agents were in plainclothes and were operating unmarked Agency vehicles. At approximately 1:10 PM, Agent L. Valdivia was traveling north on Tierra Del Sol Road near the three mile marker when he observed a gray Nissan Altima sedan pulled over to the eastern shoulder of the roadway, at Zarina Lake Drive. This area is approximately six and a half miles north of the United States/Mexico border and approximately eighteen miles east of the Tecate, California Port of Entry.

Agent Valdivia pulled over and watched the vehicle. As soon as Agent Valdivia stopped, he observed an individual run out of the brush and open the rear passenger door of the sedan. Agent Valdivia then observed approximately five individuals run out of the brush and get into the vehicle. The first individual closed the car door and ran back into the brush. The Altima then pulled onto the roadway heading north.

Under surveillance the vehicle was observed traveling west on Old 80 from Tierrra Del Sol then east on Interstate 8 from the Crestwood interchange. Agents Miele and P. Robinson observed the driver, and later identified him as defendant Melvin Cesar Jones Jr. At approximately 1:28 PM, Agent Gomez attempted to initiate a vehicle stop in his marked Border Patrol vehicle. JONES failed to yield and continued eastbound on Interstate 8. After approximately one mile, the defendant began slowing and swerving onto the shoulder and back into his traffic lane. As the vehicle came to a stop, four of the vehicle's passengers exited and attempted to flee down the steep embankment. Both uniformed and plainclothes agents pursued the subjects, identifying themselves verbally and through display of their badges and ordering them to get on the ground. Three of the subjects were apprehended quickly, and a fourth subject, who injured his leg while attempting to flee, was arrested. The defendant and the front seat passenger were apprehended at the vehicle. All five passengers were questioned about their citizenship and determined to be citizens of Mexico in the United States illegally. All five were placed under arrest for illegal entry. At approximately 1:35 PM, the defendant, who is a United States citizen, was placed under arrest for alien smuggling. The defendant, the smuggled aliens and the Nissan Altima were transported to the Pine Valley Border Patrol Station for processing.

CONTINUATION OF COMPLAINT:**Melvin Cesar JONES Jr.****MATERIAL WITNESS STATEMENTS:**

Material witnesses Luis Eduardo ROMAN-Peralta, Bladimir MUNOS-Moreno, and Genaro RAMIREZ-Moreno admit to being citizens and nationals of Mexico illegally present in the United States. They stated that they made arrangements or arrangements were made for them with a person by the name of "Jose," in Mexico. They were to pay, or someone was to pay, approximately \$2700.00 U.S. to be smuggled to Los Angeles, California.

They were told to take the bus to the border town of El Hongo. They where then were picked up by "Jose" and taken to a house. They stayed there for two days and on the morning of July 21, 2008 they were picked up in a truck by Jose and a foot guide and brought to the mountains near the border. The foot guide led them under the border fence into the United States where they walked several hours to the pick up location. They waited for a couple of hours before the vehicle arrived. The foot guide told them to run and get into the car. They rode for 15 to 20 minutes before the Border Patrol attempted to stop them.

Material witnesses ROMAN and RAMIREZ identified the defendant in a photographic line up as the driver of the vehicle.